

REMARKS

This application has been carefully reviewed in light of the Office Action dated September 3, 2008. Claims 1, 3, 8, 29 to 32 and 34 are pending in the application. Claims 1 and 30 have been amended and are the independent claims herein. Reconsideration and further examination are respectfully requested.

Claims 1, 3, 29 to 31 and 34 were rejected under 35 U.S.C. § 103(a) over U.S. Patent No. 6,510,553 (Hazra) in view of U.S. Publication No. 2005/0283734 (Santoro), and Claims 8 and 32 were rejected under § 103(a) over Hazra in view of Santoro and U.S. Patent No. 7,058,721 (Ellison). Reconsideration and withdrawal of these rejections are respectfully requested.

The present invention generally concerns receiving and displaying image data. Image data is received through a network different from a broadcast wave, and transmission mode information as to a plurality of transmission modes is received.

According to one aspect of the invention, a broadcast signal is received from the broadcast wave, and broadcast program image data and event information are derived from the signal. The event information includes at least a URL for specifying the received image data, and size and position information of a display area in which an image based on the received image data is displayed.

According to another aspect of the invention, transmission mode information of the image data specified by the URL is requested from the transmitting apparatus, in accordance with the received event information, and one transmission mode is selected from the transmission mode information, based on the size information included in the event information.

By virtue of this arrangement, it is ordinarily possible to effectively use the communication paths and resources of an apparatus to select an optimum transmission mode for display data.

Referring specifically to claim language, independent Claim 1 is directed to a receiving apparatus. The apparatus includes a reception unit constructed to receive image data transmitted through a network different from a broadcast wave, and to receive transmission mode information as to a plurality of transmission modes of a transmitting apparatus in transmitting the image data, the transmission mode information including different combinations of pixel number information and transmission rate information. The apparatus further includes a broadcast signal receiving unit constructed to receive a broadcast signal from the broadcast wave, wherein the broadcast signal receiving unit derives, from the broadcast signal, broadcast program image data and event information including at least a URL for specifying the receiving image data and size and position information of a display area in which an image is displayed based on the image data received by the reception unit. The apparatus also includes a control unit for requesting transmission mode information of the image data specified by the URL from the transmitting apparatus which is a transmission source of the image data, in accordance with the event information received by the broadcast signal receiving unit and selecting one transmission mode from the transmission mode information received by the reception unit, based on the size information included in the event information. In addition, the apparatus includes an output unit constructed to output to a display apparatus the image data received by the reception unit and the broadcast program image data received by the broadcast signal receiving unit so that the display apparatus displays the image data and the broadcast

program image data in a Picture-in-Picture format by the display apparatus. The control unit is arranged to, when the broadcast program image data received by the broadcast signal receiving unit and the image data received by the reception unit are displayed by the display apparatus in the Picture-in-Picture format, change a display size of each of the image data received by the reception unit and the broadcast program image data in accordance with the size information included in the event information included in the broadcast signal corresponding to the displayed broadcast program.

Independent Claim 30 is directed to a method substantially in accordance with the apparatus of Claim 1.

The applied art is not seen to disclose or suggest the features of the present invention, and in particular is not seen to disclose or suggest at least the features of (i) receiving a broadcast signal from a broadcast wave, and deriving broadcast program image data and event information from the signal, wherein the event information includes at least a URL for specifying the received image data and size and position information of a display area in which an image based on the received image data is displayed, and (ii) requesting transmission mode information of the image data specified by the URL from the transmitting apparatus, in accordance with the received event information, and selecting one transmission mode from the transmission mode information, based on the size information included in the event information.

As understood by Applicants, Hazra is directed to receiving digital multimedia data from multiple data sources in a stream over a fixed bandwidth communications path. Data signals correspond to subscribed layers of first and second data sources, and output signals corresponding to the first and second sources are produced.

The output signals may be displayed simultaneously in a picture-in-picture display, and a display size of the output signals may be changed in accordance with a user switch and elapsed time. See Hazra, Abstract and Column 7, lines 24 to 62.

Page 3 of the Office Action asserts that Hazra (Column 4, line 61 to Column 5, line 5, Column 5, line 59 to Column 6, line 14 and 37 to 59; Column 8, line 54 to Column 9, line 54) discloses a broadcast signal receiving unit constructed to receive a broadcast signal, and deriving, from the broadcast signal, event information including at least size information of a display area. More specifically, the Office Action relies on Hazra's "catalog" for the claimed event information.

However, Hazra's "catalog" is different from the claimed event information, and is transmitted differently. In particular, Hazra's catalog does not include a URL for specifying the image data, whereas the claimed event information does. Moreover, Hazra's catalog is transmitted together with the stream data, whereas the claimed event information is received separately from transmission mode information. See Hazra, Column 5, lines 59 to 62. More specifically, the claimed event information is received before transmission mode information, and is used to request transmission mode information in order to transmit the image data. In contrast, Hazra transmits the catalog and image data together.

Since Hazra fails to disclose the claimed event information or transmission thereof, it logically follows that Hazra also can not disclose or suggest requesting transmission mode information in accordance with the event information, much less requesting transmission mode information of the image data specified by the URL from the transmitting apparatus which is a transmission source of the image data, in accordance with

the received event information, and selecting one transmission mode from the transmission mode information, based on the size information included in the event information.

Ellison and Santoro have been reviewed and are not seen to remedy the above-noted deficiencies of Hazra. With particular regard to Santoro, Santoro is seen to display multiple data streams from a broadcast source at different positions of the screen with different sizes, but is not seen to disclose the above-noted features.

Therefore, independent Claims 1 and 30 are believed to be in condition for allowance, and such action is respectfully requested.

The other claims in the application are each dependent from the independent claims and are believed to be allowable over the applied references for at least the same reasons. Because each dependent claim is deemed to define an additional aspect of the invention, however, the individual consideration of each on its own merits is respectfully requested.

No other matters being raised, the entire application is believed to be in condition for allowance, and such action is courteously solicited.

Applicants' undersigned attorney may be reached in our Costa Mesa, California office at (714) 540-8700. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

/Michael J. Guzniczak/

Michael J. Guzniczak
Attorney for Applicants
Registration No.: 59,820

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3800
Facsimile: (212) 218-2200

FCIS_WS 2671979v1